

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HONEYWELL INTERNATIONAL INC., et al.,)
)
Plaintiffs,)
v.) C.A. No. 04-1338 (KAJ)
)
APPLE COMPUTER, INC. et al.,)
)
Defendants.)
)

**HONEYWELL'S RESPONSE TO EASTMAN KODAK'S JOINDER IN TOSHIBA'S
FED. R. CIV. P. 42(b) MOTION
FOR BIFURCATION OF LIABILITY AND DAMAGES (D.I. 194)**

For the reasons stated in Honeywell's Answering Brief In Opposition To Toshiba's Motion For Bifurcation Of Liability And Damages (D.I. 164) And In Opposition To Fuji Photo Film's And Toshiba's Memoranda In Support Of Toshiba's Motion (D.I. 165, 166) (C.A. No. 04-1338, D.I. 170) ("Honeywell's Answering Brief"), Honeywell respectfully requests that this Court deny Toshiba's Motion to stay discovery and bifurcate liability and damages at trial in its entirety. Honeywell hereby incorporates by reference, and respectfully refers the Court to, Honeywell's Answering Brief (D.I. 170) from C.A. No. 04-1338.

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May 18, 2005

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CERTIFICATE OF SERVICE

I hereby certify that on May 18, 2005, I electronically filed the foregoing document with the Clerk of Court using CM/ECF, which will send notification of such filing to the following: Arthur G. Connolly, III (aconnollyIII@cblh.com); Frederick L. Cottrell, III (cottrell@rlf.com); Francis DiGiovanni (fdigiovanni@cblh.com, et al.); Amy Elizabeth Evans (aevans@crosslaw.com); Thomas C. Grimm (tcgefiling@mnat.com); Thomas L. Halkowski (halkowski@fr.com, et al.); Richard L. Horwitz (rhorwitz@potteranderson.com, et al.); Robert J. Katzenstein (rkatzenstein@skfdelaware.com); Adam W. Poff (apoff@ycst.com, et al.); Philip A. Rovner (provner@potteranderson.com, et al.); John W. Shaw (jshaw@ycst.com, et al.); William J. Wade (wade@rlf.com, et al.); and Karen L. Pascale (kpascale@bmf-law.com, et al.).

I also certify that on May 18, 2005, I caused to be served true and correct copies of the foregoing document on the following by hand:

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